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PATENT  
ATTORNEY DOCKET NO.: 041514-5114



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: )  
Mitsuru SATO et al. )  
Application No.: 09/813,898 ) Group Art Unit: 2651  
Filed: March 22, 2001 ) Examiner: Unassigned  
For: TRACKING SERVO APPARATUS OF )  
OPTICAL INFORMATION RECORDING )  
AND REPRODUCING APPARATUS )

Commissioner for Patents  
**BOX MISSING PARTS**  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed May 3, 2001.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

[X] No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney

[ ] The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

[ ] The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

Verified Statement(s) that this is a filing by a small entity  
 is attached

was filed on \_\_\_\_\_.

5. Fee Calculation

		Basic Fee: Patent Application-\$710.00 Design Application-\$320.00	\$710.00
	Number Filed	Number Extra	at a Rate of
Total Claims	2- 20 =		\$18.00 each =
Independent Claims	1- 3 =		\$80.00 each =
Multiple dependent claim(s), if any		\$270.00	+
Missing Parts Surcharge Fee		\$130.00	+ 130.00
		<b>SUB-TOTAL =</b>	840.00
		Reduction by 1/2 for filing by a small entity	- \$
		<b>SUB-TOTAL =</b>	840.00
Fee For Application Filed With A Non-English Specification (37 CFR 1.17(k) and 1.52(d)		\$130.00	+
Fee For Processing and retention of application (37 CFR 1.21(l) and 1.53(d)		\$130.00	+
		<b>TOTAL FILING FEE =</b>	<b>\$840.00</b>

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

<u>Total months requested</u>	<u>Fee for extension</u>	<u>[fee for Small Entity]</u>
[ ] one month	\$ 110.00	\$ 55.00
[ ] two months	\$ 390.00	\$195.00
[ ] three months	\$ 890.00	\$445.00
[ ] four months	\$1,390.00	\$695.00
[ ] fifth months	\$1,890.00	\$945.00

Extension of time fee due with this request: \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a Petition therefor.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is: Completion Fees \$840.00  
Extension Fees \$ \_\_\_\_\_  
Assignment Fee \$ 40.00  
Total Fee Due \$880.00

Enclosed is one check in the amount of \$880.00 representing the total fee due.

**Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

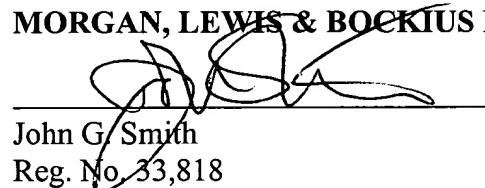
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8. Additional papers enclosed.

- Preliminary Amendment
- Formal Drawings - 6 sheets containing 9 figures
- Claim for Priority
- Certified copy of Japanese Application No. 2000-086532 filed March 27, 2000
- Information Disclosure Statement
- Form PTO-1449
- Citations
- Declaration of Biological Deposit
- Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

  
John G. Smith  
Reg. No. 33,818

Date: July 3, 2001

**CUSTOMER NO. 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
**1800 M Street, N.W.**  
**Washington, D.C. 20036**  
**(202) 467-7000**



UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/813,898	03/22/2001	Mitsuru Sato	041514-5114

CONFIRMATION NO. 4674

FORMALITIES LETTER



\*OC000000006036661\*

009629  
MORGAN, LEWIS & BOCKIUS  
1800 M STREET NW.  
WASHINGTON, DC 20036-5869

Date Mailed: 05/03/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

*A copy of this notice **MUST** be returned with the reply.*

*Takahashi*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/09/2001 AWONDAF1 00000160 09813898

01 FC:101  
02 FC:105

710.00 0P  
130.00 0P